

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

Franchetta Hollington,)	
)	
Plaintiff,)	
)	Civil Action No. 2:24-cv-1306-BHH
v.)	
)	<u>ORDER</u>
First-Citizens Bank & Trust Company;)	
and Reeves Skeen, individually,)	
)	
Defendants.)	
_____)	

This matter is before the Court upon Plaintiff Franchetta Hollington's ("Plaintiff") complaint alleging claims for violation of the Equal Pay Act, 29 U.S.C. § 206, *et seq.*, and employment discrimination in violation of 42 U.S.C. § 1981. On October 30, 2024, Defendants filed a motion to dismiss Plaintiff's § 1981 claim for discriminatory failure to promote, pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure. (ECF No. 22.) In accordance with 28 U.S.C. § 636(b) and Local Civil Rule 73.02(B)(2), D.S.C., the matter was referred to a United States Magistrate Judge for pretrial proceedings.

On February 11, 2025, the Magistrate Judge issued a Report and Recommendation ("Report"), outlining the issues and recommending that the Court deny Defendants' motion. (ECF No. 27.) Attached to the Report was a notice advising the parties of the right to file written objections to the Report within fourteen days of being served with a copy. To date, no objections have been filed.

The Magistrate Judge makes only a recommendation to the Court. The recommendation has no presumptive weight, and the responsibility to make a final determination remains with the Court. *Mathews v. Weber*, 423 U.S. 261 (1976). The Court

is charged with making a *de novo* determination only of those portions of the Report to which specific objections are made, and the Court may accept, reject, or modify, in whole or in part, the recommendation of the Magistrate Judge, or recommit the matter to the Magistrate Judge with instructions. 28 U.S.C. § 636(b)(1). In the absence of specific objections, the Court reviews the matter only for clear error. *See Diamond v. Colonial Life & Accident Ins. Co.*, 416 F.3d 310, 315 (4th Cir. 2005) (stating that “in the absence of a timely filed objection, a district court need not conduct a *de novo* review, but instead must ‘only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.’”) (quoting Fed. R. Civ. P. 72 advisory committee’s note).

Here, no objections have been filed, and the Court has reviewed the record, the applicable law, and the findings and recommendations of the Magistrate Judge for clear error. After review, the Court finds no clear error and agrees with the Magistrate Judge’s analysis. **Accordingly, the Court adopts the Magistrate Judge’s Report (ECF No. 27), and the Court denies Defendants’ motion to dismiss (ECF No. 22).**

IT IS SO ORDERED.

/s/Bruce H. Hendricks
United States District Judge

March 6, 2025
Charleston, South Carolina